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| 09/694,402      | 10/22/2000  | John Thaddeus Pienkos |                     | 9105             |

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EXAMINER

BLECK, CAROLYN M

ART UNIT PAPER NUMBER

3626

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/694,402

Applicant(s)

PIENKOS, JOHN THADDEUS

Examiner

Carolyn M Bleck

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 October 2004.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) ☐ All b) ☐ Some \* c) ☐ None of:
      - 1. ☐ Certified copies of the priority documents have been received.
      - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Notice to Applicant***

1. This communication is in response to the reply filed 6 October 2004. Claims 1-20 are pending. No claims have been amended.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 9, 11, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Luchs et al. (4,831,526).

(A) As per claim 1, Luchs discloses fully computerized insurance premium quote request and policy issuance method comprising:

(a) entering data into fields relating to a desired insurance coverage, wherein the fields include the effective data of the insurance policy, the expiration date of the insurance policy, and the zip code and state of the policy holder (Fig. 10A-B, col. 22 line 5 to col. 23 line 28);

(b) receiving at the central processor, which includes a databank, the information entered into fields (col. 2 line 55 to col. 3 line 5, col. 22 lines 5-35, col. 28 lines 20-52);

(c) electronically and automatically comparing the data in the insurance application to certain underwriting criteria before actually proceeding with the printing of the insurance application, wherein the underwriting criteria compared with data include the effective data, expiration date, and city/ country code (col. 7 line 28 to col. 20 line 50); and

(d) sending the policy to printing if the policy does not need further approval based on the criteria, and wherein if further approval is needed, the policy is sent to underwriting for approval (col. 16 lines 30-52).

(B) As per claim 2, Luchs discloses:

(a) allowing an operator to enter data into a form related to an insurance policy (col. 3 lines 16-38);

(b) entering data into fields in a form relating to a desired insurance coverage, wherein the fields include the effective data of the insurance policy, the expiration date of the insurance policy, and the zip code and state of the policy holder (Fig. 10A-B, col. 3 lines 17-38, col. 22 line 5 to col. 23 line 28);

(c) receiving at the central processor, which includes a databank, the information entered into fields (col. 2 line 55 to col. 3 line 5, col. 22 lines 5-35, col. 28 lines 20-52); electronically and automatically comparing the data in the insurance application to certain underwriting criteria before actually proceeding with the printing of the insurance application, wherein the underwriting criteria compared with data include the effective data, expiration date, and city/ country code (col. 7 line 28 to col. 20 line 50);

(d) sending the policy to printing if the policy does not need further approval based on the criteria, and wherein if further approval is needed, the policy is sent to underwriting for approval (col. 16 lines 30-52);

(e) receiving data such as the name of the policy requestor and the ID number of the policy requestor (Fig. 1, col. 2 line 55 to col. 3 line 5, col. 3 lines 16-39, col. 7 line 28 to col. 20 line 50, col. 22 lines 5-35, col. 28 lines 20-52).

(C) As per claim 3, Luchs discloses the fields including the effective data of the insurance policy, the expiration date of the insurance policy, and the zip code and state of the policy holder (Fig. 10A-B, col. 22 line 5 to col. 23 line 28).

(D) As per claim 4, Luchs discloses inputting data into a form, wherein the data input is the name of the policy requestor and the ID number of the policy requestor, wherein the inputted data is received at the processor (col. 2 line 55 to col. 3 line 5, col. 3 lines 16-39, col. 7 line 28 to col. 20 line 50, col. 22 lines 5-35, col. 28 lines 20-52).

(E) As per claims 9 and 11, Luchs discloses the insurance coverage relating to a automobile and a watercraft, such as a boat (col. 7-8 Table continued in col. 9-10).

(F) Claim 14 repeats the subject matter of method claims 1-2, respectively, as a computer-readable storage medium containing computer executable code for instructing a computer to operate rather than as a series of steps. As the underlying processes of

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claims 1-2 have been shown to be fully disclosed by the teachings of Luchs in the above rejections of claims 1-2, it is readily apparent that the system disclosed by Luchs includes the computer code and computer program product on the central processor (Luchs; Fig. 1) to perform these functions. As such, these limitations are rejected for the same reasons given above for method claims 1-2, and incorporated herein.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) as applied to Claim 1 above, respectively, and in further view of Cullen et al. (6,272,528).

(A) As per claim 5, the teachings of Luchs are incorporated herein. Luchs fails to teach coupling the client and server computer via the internet. Cullen discloses the client and server computers being connected via the Internet (col. 3 lines 1-10). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to

include the teachings of Cullen within the method of Luchs with the motivation of allowing remotely located clients to access information (Cullen; col. 3 lines 1-10).

6. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) as applied to Claim 1 above, respectively, and in further view of Mizuno (6,380,953).

(A) As per claims 6-7, the teachings of Luchs are incorporated herein. Luchs fails to teach a means of selecting a time period such that the time period is measured with respect to the start and/or finish time. Luchs also fails to teach a means for selecting a single day. These features are well-known in the art as evidenced by Mizuno which teaches a means for defining a time period in terms of a start and/or finish time and also a means for selecting a day (Sunday) as a time period (Figure 3; Col. 3, Ln. 28-41 and Col. 5, Ln. 43-50).

At the time of the invention, one of ordinary skill in the art would have been motivated to add a means of defining a time period with respect to the start and/or a finish time and a means of selecting a single day as a time period in order provide a display with improved scroll operability upon displaying information as recited in Mizuno (Col. 1, Ln. 64-67).

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) as applied to claim 1, and further in view of Pescitelli et al. (5,845,256).

(A) As per claim 8, the teachings of Luchs are incorporated herein.

Luchs fails to expressly disclose receiving credit card information from a customer.

Pescitelli discloses payment for a policy being made by credit card, wherein the credit card is inserted into a credit card reader and is authorized (col. 2 lines 4-13).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the aforementioned features of Pescitelli within the method of Luchs with the motivation of allowing a customer to pay for insurance immediately (Pescitelli; col. 2 lines 4-13).

8. Claims 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) as applied to claim 1, and further in view of Official Notice.

(A) As per claim 10, Luchs discloses the insurance coverage relating to a automobile and a watercraft, such as a boat (col. 7-8 Table continued in col. 9-10). Luchs does not explicitly disclose insuring a luxury automobile. However, the Examiner respectfully submits that it is well known in the art of insurance to insure luxury automobiles. The motivation for modifying Luchs being to provide insurance coverage for different types of vehicles.



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(B) As per claim 13, Luchs discloses allowing a user to input geographical information such as a zip code, state, or city (Fig. 10A-B). However, Luchs does not disclose selecting the information from a list. It is respectfully submitted that it is well known in the art of graphical user interfaces to present information in list form, and a person skilled in the art would have recognized this modification to the method of Luchs at the time the invention was made to ensure that users do not improperly enter information.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Luchs et al. (4,831,526) as applied to claim 1, and further in view of Serdy (5,990,886).

(A) As per claim 12, the teachings of Luchs are incorporated herein.

Luchs fails to teach the input of the geographical region indication occurring by providing at least one map and receiving a demarcation indication which indicates a specific region on the map.

Serdy teaches this feature is well known in art (Fig. 4-6 and col. 1 lines 25-64). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to combine the teachings of Serdy within the method of Luchs with the motivation of enabling a user to quickly input a geographic region without having to type the name of the geographic region (Serdy, col. 1 lines 27-37).

10. Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cullen et al. (6,272,528) in view of Luchs et al. (4,831,526).

(A) As per claim 15, Cullen discloses a number of user computers connected to a plurality of server computers by way of a network, such as the Internet, wherein the user of the client computer enters data into the interface regarding preferences for an insurance quote (Abstract, Fig. 1, 4-7, col. 1 line 45 to col. 2 line 11, col. 4 line 64 to col. 5 line 4, col. 6 line 39 to col. 7 line 39) (An interface for use over the Internet is considered to be a form of "web page").

Cullen fails to expressly disclose allowing the user to specify a temporal limitation for an insurance policy, the temporal limitation specifying a time period less than a month, and allowing a user to specify a geographical limitation for the insurance policy, the geographical limitation specifying a geographical region that is smaller in size than an entire nation.

Luchs discloses entering data into fields relating to a desired insurance coverage, wherein the fields include the effective data of the insurance policy, the expiration date of the insurance policy, and the zip code and state of the policy holder (Fig. 10A-B, col. 22 line 5 to col. 23 line 28).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Luchs within the system of Cullen with the motivation of allowing a user to obtain information from a variety of sources over the Internet, thus reducing the difficulty in obtaining information on multiple insurance policies (Cullen; col. 1 lines 5-45).

(B) As per claim 16, Luchs discloses entering the city, state, county, and zip code, and an effective date, and expiration date for an insurance quotation into fields in forms (Fig. 10A-B, col. 21 lines 39-48, col. 22 lines 6-35). For a discussion of web pages, note the disclosure of Cullen above in claim 15. The motivation for combining Luchs within the system of Cullen is given above in claim 15.

(C) As per claim 17, Luchs discloses storing in a databank on a central processor, a client file which includes the client name and client address (Fig. 1, col. 6 lines 25-65). The motivation for combining Luchs within the system of Cullen is given above in claim 15.

(D) As per claim 18, Cullen discloses:

(a) wherein the user selects the "most suitable quotation" option which attempts to find an insurance policy which will give the best value based on the user's preferences, wherein the results of the search include presenting the results to the user in an interface (col. 7 lines 5-67, col. 11 line 10 to col. 12 line 35).

Cullen fails to expressly disclose wherein the input controls include a set of selectable menu items including at least one of a list of possible temporal limitations concerning possible time periods for insurance coverage, and a list of possible geographic limitations concerning possible regions for insurance coverage; and wherein the display provides, in response to the specifying of a temporal limitation a first confirmation when the server computer determines that insurance coverage can be

provided during the time period corresponding to the temporal limitation; and wherein the display provides, in response to the specifying of a geographic limitation a second confirmation when the server computer determines that insurance coverage can be provided within the region corresponding to the geographic limitation.

Luchs discloses entering the city, state, county, and zip code, and an effective date, and expiration date for an insurance quotation into fields in forms (Fig. 10A-B, col. 21 lines 39-48, col. 22 lines 6-35). Further, Luchs discloses sending the policy to printing if the policy does not need further approval based on the criteria, and wherein if further approval is needed, the policy is sent to underwriting for approval (col. 16 lines 30-52).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include the features of Luchs within the system of Cullen with the motivation of allowing a user to obtain information from a variety of sources over the Internet, thus reducing the difficulty in obtaining information on multiple insurance policies (Cullen; col. 1 lines 5-45).

Cullen and Luchs do not disclose selecting the information from a list. It is respectfully submitted that it is well known in the art of graphical user interfaces to present information in list form, and a person skilled in the art would have recognized this modification to the method taught collectively by Cullen and Luchs at the time the invention was made to ensure that users do not improperly enter information.

11. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cullen et al. (6,272,528) and Luchs et al. (4,831,526) as applied to claim 15, and further in view of Hartigan (0/205477).

(A) As per claims 19 and 20, Cullen and Luchs fail to expressly disclose the user interface including an input means in which a new customer can specify information that is utilized to determine whether the new customer is eligible for obtaining insurance coverage of a particular type: and wherein upon the providing of the information by way of the input means, the user interface displays results that include an indication of whether the new customer is eligible for obtaining insurance coverage of the particular type, and wherein, upon a determination that the new customer is eligible for obtaining insurance coverage of the particular type, the results that are displayed include an identification code including at least one of a user name and a password, and wherein, upon entry of the identification code by way of the user interface, the new customer is able to input at least one of the temporal limitation and the geographic limitation.

Hartigan discloses giving a permanent access code-password combination to each holder who requests a certificate, wherein each holder may enter its own insurance requirements, which Ins-cert.com compares to the viewed data and shows the holder exactly which parts of the insured's coverage do not comply (par. 1 lines 5-8).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to combine the teachings of Hartigan within the system taught

collectively of Cullen and Luchs with the motivation of allowing a user to determine whether they are eligible for insurance coverage (Hartigan; par. 1 line 8).

The remainder of claims 19 and 20 repeat the limitations of claim 15, and are incorporated herein.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The cited but not applied prior art teaches method and apparatus for issuing insurance from kiosk (5,537,315), system for electronically auditing exposures used for determining insurance premiums (5,855,005), system for electronically managing and documenting the underwriting of an excess casualty insurance policy (5,873,066), and an apparatus and method using front-end network gateways and search criteria for efficient quoting at a remote location (6,684,189).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn Bleck whose telephone number is (703) 305-3981. The Examiner can normally be reached on Monday-Thursday, 8:00am – 5:30pm, and from 8:30am – 5:00pm on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached at (703) 305-9588.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 306-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**14. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**Or faxed to:**

(703) 872-9306 or (703) 872-9326      [Official communications]

(703) 872-9327      [After Final communications labeled "Box AF"]

(703) 746-8374      [Informal/ Draft communications, labeled  
"PROPOSED" or "DRAFT"]

Hand-delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor (Receptionist).

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CB  
January 14, 2005

A handwritten signature in black ink, appearing to read "Alexander Kalinowski". The signature is fluid and cursive, with a large, sweeping flourish at the end.

ALEXANDER KALINOWSKI  
PRIMARY EXAMINER